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 .....@10:20 P.M. The meeting voted to  
 adjourn to Wednesday, April 29, 1992 at 7:30 P.M. in the Auditorium of the  
 Amherst Regional Junior High School. 189 town meeting members were checked  
 in.@@\* \* \*@@The adjourned session of Wednesday, April 29, 1992 was called to  
 order by the Moderator at 7:41 P.M. 129 town meeting members were checked  
 in.@@  
 Article 7. Voted unanimously that the Town amend Article II, General

Regulations, Conduct In or On Public Ways and Places and Article VI, Non-Criminal Disposition, of the Town Bylaws by deleting the language in brackets and adding the underlined language, as follows: A. Amend Section 1, Bicycle Regulations, as follows: No person shall operate a bicycle at a speed [greater than is reasonable and prudent] or in a manner which is inconsistent with public safety or convenience under the conditions then existing. The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right of way to all pedestrians approaching on said sidewalk or sidewalk area, and upon entering the roadway shall yield the right of way to all vehicles approaching on said roadway. No person shall ride a bicycle upon any public sidewalk or public pedestrian easement within [a] the downtown general business district or urban renewal project area, except upon those ways where vehicular passage by the public is explicitly allowed. When riding on sidewalks outside [a] the downtown general business district or urban renewal project area, bicyclists shall yield the right of way to pedestrians, use care at all times and give an audible sign before overtaking and passing any pedestrian. If sidewalks are crowded, bicyclists must dismount, or ride in the streets. The penalty for violation of this section shall be \$20.00 for each violation. This section may be enforced pu

rsuant to the non-criminal disposition method as contained in M.G.L., Chap. 40, Sec. 21D. Enforcing persons shall be police officers.\_\_\_\_\_  
B.\_\_\_\_\_  
Amend Section 2, Regulation of Other Non-Motorized Conveyances, as follows:\_\_\_\_\_  
In order to protect the public safety, no person shall coast, ride upon or otherwise operate any sleigh, sled, skis, skates, skateboard, roller skates, roller blades or other similar non-motorized conveyance upon any public sidewalk, public pedestrian easement or street within the downtown general business district or urban renewal project area, except within such areas, at such times or under such conditions as may hereinafter be designated by the select board. All devices used by disabled persons for purposes of personal transportation or used by persons for the transportation of infants and young children are exempted from the provisions of this section.\_\_\_\_\_  
Persons coasting, coursing, [or] sliding on\_\_\_\_\_, riding or otherwise operating\_\_\_\_\_ any sleigh, sled, sk

is, skates, skateboard, roller skates, roller blades, or other similar conveyance in any of the streets, or upon any sidewalks in this town outside of the downtown general business district and urban renewal project area shall use proper care and shall not travel at [no greater] a speed [than is reasonable and prudent] or in a manner which is inconsistent with public safety or convenience under the conditions then existing. \_\_\_\_\_ § 1. .... [Whoever violates section 1 or 2 of the foregoing shall pay a fine of not more than \$20.00 for each violation.] The penalty for violation of this section shall be \$20.00 for each violation. This section may be enforced pursuant to the non-criminal disposition method as contained in M.G.L., Chap. 40, Sec. 21D. Enforcing persons shall be police officers. § C. Amend Section 3, Impeding Traffic, as below, and amend

Article VI, Non-Criminal Disposition of Violations, changing the fine amount under this section from \$200.00 to \$50.00: @@\_No person shall obstruct or impede pedestrian traffic upon any sidewalk \_or public pedestrian easement, \_or obstruct or impede vehicular traffic upon any street in the town\_, unless reservation therefor has been secured in accordance with the provisions of Article III, Parades and Public Meetings of these by-laws\_. @@\_Whoever violates this section shall pay a fine of not more than \$\_\_200.00 for each violation. @@\_ \_This section may be enforced pursuant to the non-criminal disposition method as contained in M.G.L., Chap. 40, Sec. 21D. Under this option, the penalty for violation of this section shall be \$50.00 for each violation. Enforcing persons shall be police officers. \_@@D.\_Add a new Section 4, Parking and Delivery Regulations, below. Renumber existing sections 4-7 as sections 5-8, both in this Article and in Article VI, Non-Criminal Disposition of Violations. @@\_ \_4. Parking & \_\_Delivery Regulations. The select board is authorized to promulgate regulations governing the location, time and duration of parking for all purposes, including but not limited to the pickup or delivery of goods, wares and merchandise, repairs, service, waste handling or recycling, within public ways in the town and upon all public rights-of-way, easements and leaseholds used or intended for pedestrian and/or vehicular passage. The select board shall have the authority to amend said regulations from time\_\_ to time, and to set fines for violations. Prohibitions and restrictions under said regulations shall become effective upon installation of signs giving notice thereof. \_@ \_ \_Prior to adoption of said regulations and any subsequent amendment thereto, the select board shall conduct a public hearing, notice of the time and place of which, and of the subject matter, sufficient for identification, shall be posted in a conspicuous place in the town hall for not less than fourteen (14) days before the day of \_\_such hearing and said notice shall also be published in a newspaper of general circulation in the town once in each of two weeks, the first publication to be not less than fourteen (14) days before the day of the hearing. \_@@ \_ \_Where proposed regulations or amendments to said regulations apply to easements or leaseholds, owners of the encumbered properties shall be notified of the hearing by mail at least fourteen (14) days prior to the day of the hearing. Further, all reasonable and practicable attempts\_\_ shall be made to notify business or residential tenants of immediately affected or abutting properties. \_@Action taken on 4/29/92. @

Article 8. Vote YES 102, NO 63 that for a period of one year (until April 1993) the Town study the impact of housing on its tax rate, and what public policy should be pursued in this area, and report the finding of such study to Town Meeting in the Spring of 1993. Action taken on 4/27/92. Article 9.

DEFERRED. (Employment Contracts Resolution) Action taken on 4/29/92. Article 10. Voted that the Town transfer \$22,500 from the Highway Construction and Maintenance Budget of the 1992 Fiscal Year to the Police Budget of the 1992 Fiscal Year. Action taken on 4/29/92. Article 11. Voted unanimously that the Town transfer \$10,000 from the Debt Service Account of the 1992 Fiscal Year and \$10,000 from the Snow and Ice Account of the 1992 Fiscal Year to the Reserve for Extraordinary and Unforeseen Expenditure Account of the 1992 Fiscal Year. Action taken on 4/29/92. Article 12. DEFERRED. YES 33, NO 11. (Municipal Fire Protection Services) Action taken on 4/29/92. Article 13. Voted YES 116, NO 9 that the Town authorize the Select Board to petition the General Court for a special act which provides that notwithstanding any general or special law to the contrary, and notwithstanding the Town's acceptance of the provision of Section 3A of Chapter 64G of the General Laws, within the Town of Amherst: 1. exemption "(a)" of Section 2 of Chapter 64G shall be amended by substituting for the expression "lodging accommodations" the following expression: "residential (but not including transient) lodging accommodations" such that exemption "(a)" then reads: "(a) residential (but not including transient) lodging accommodations at federal, state or municipal institutions;" and 2. exemption "(b)" of Section 2 of Chapter 64G shall be amended by substituting for the expression "lodging accommodations" the following expression: "residential (but not including transient) lodging accommodations" such that exemption "(b)" then reads: "(b) residential (but not including transient) lodging accommodations at religious, charitable, educational or philanthropic institutions;" and 3. "transient" shall be interpreted to mean "occupancy" as defined in Section 1(g) of Chapter 64G, except that "a period of 30 consecutive days" shall be substituted for "a period of 90 consecutive days". Action taken on 5/6/92. (On 4/29/92 it was voted to defer consideration of this article until after Article 25.) Article 14. Voted unanimously that the Town appropriate \$10,000 from the Stabilization Fund for repair to the Cushman School. Action taken on 5/4/92. (On 4/29/92 it was voted that this article be considered on 5/4/92 at 7:30 p.m.) Article 15. DISMISSED. (Town Hall Moving Expenses) Action taken on 4/29/92.

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..... Article 16. Voted that the Town advise the Select Board and the Town Manager to assist the Amherst Housing Authority and the Conservation Commission with the mitigation of the effects of the unassigned landfill on and behind Lot #11, Jenks Street, as follows: a. That Town forces should remove six feet from the top of the landfill and replace it with one foot of loam, using some of the material from the top of the landfill to make the slope at the rear of the landfill more gradual, subject to the approval of the Conservation Commission. b. That Town forces should, using materials supplied by the Housing Authority, install permanent drainage improvements on Lot #11; c. That the Town



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